

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **People of MI v John Sherman Russell III**  
Docket No. **276456**  
L.C. No. **06-008197-FH**

E. Thomas Fitzgerald, Judge, acting under MCR 7.217 and MCR 7.219(I), orders:

The motion for reconsideration of this Court's order of September 19, 2007, is GRANTED, the appellant's brief having been filed.

The Court VACATES that part of its order of September 19, 2007, which remanded this matter to the trial court for the appointment of substitute counsel.

The Court orders that the \$250 costs assessed in the order of September 19, 2007, against John F. Gorniak (P49852), appointed counsel for appellant, are reaffirmed. Such costs are personal to the attorney and shall not be charged back to the County or to the State.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

OCT 17 2007

Date

*Sandra Schultz Mengel*  
Chief Clerk